

## § 214.1

- 214.317 On-track safety procedures, generally.
- 214.319 Working limits, generally.
- 214.321 Exclusive track occupancy.
- 214.323 Foul time.
- 214.325 Train coordination.
- 214.327 Inaccessible track.
- 214.329 Train approach warning provided by watchmen/lookouts.
- 214.331 Definite train location.
- 214.333 Information line-ups of trains.
- 214.335 On-track safety procedures for roadway work groups.
- 214.337 On-track safety procedures for lone workers.
- 214.339 Audible warning from trains.
- 214.341 Roadway maintenance machines.
- 214.343 Training and qualification, general.
- 214.345 Training for all roadway workers.
- 214.347 Training and qualification for lone workers.
- 214.349 Training and qualification of watchmen/lookouts.
- 214.351 Training and qualification of flagmen.
- 214.353 Training and qualification of roadway workers who provide on-track safety for roadway work groups.
- 214.355 Training and qualification in on-track safety for operators of roadway maintenance machines.

### APPENDIX A TO PART 214—SCHEDULE OF CIVIL PENALTIES

AUTHORITY: 49 U.S.C. 20103, 20107 and 49 CFR 1.49

SOURCE: 57 FR 28127, June 24, 1992, unless otherwise noted.

## Subpart A—General

### §214.1 Purpose and scope.

(a) The purpose of this part is to prevent accidents and casualties to employees involved in certain railroad inspection, maintenance and construction activities.

(b) This part prescribes minimum Federal safety standards for the railroad workplace safety subjects addressed herein. This part does not restrict a railroad or railroad contractor from adopting and enforcing additional or more stringent requirements not inconsistent with this part.

### §214.3 Application.

This part applies to railroads that operate rolling equipment on track that is part of the general railroad system of transportation.

## 49 CFR Ch. II (10–1–98 Edition)

### §214.4 Preemptive effect.

Under 49 U.S.C. 20106 (formerly section 205 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 434)), issuance of the regulations in this part preempts any State law, rule, regulation, order, or standard covering the same subject matter, except a provision directed at an essentially local safety hazard that is not incompatible with this part and that does not unreasonably burden on interstate commerce.

[61 FR 65975, Dec. 16, 1996]

### §214.5 Responsibility for compliance.

Any person (an entity of any type covered under 1 U.S.C. 1, including but not limited to the following: a railroad; a manager, supervisor, official, or other employee or agent of a railroad; any owner, manufacturer, lessor, or lessee of railroad equipment, track, or facilities; any independent contractor providing goods or services to a railroad; and any employee of such owner, manufacturer, lessor, lessee, or independent contractor) who violates any requirement of this part or causes the violation of any such requirement is subject to a civil penalty of at least \$500 and not more than \$11,000 per violation, except that penalties may be assessed against individuals only for willful violations, and where a grossly negligent violation or a pattern of repeated violations has created an imminent hazard of death or injury, or has caused death or injury, a penalty not to exceed \$22,000 per violation may be assessed. See appendix A to this part for a statement of agency civil penalty policy.

[57 FR 28127, June 24, 1992, as amended at 63 FR 11620, Mar. 10, 1998]

### §214.7 Definitions.

*Adjacent tracks* mean two or more tracks with track centers spaced less than 25 feet apart.

*Anchorage* means a secure point of attachment for lifelines, lanyards or deceleration devices that is independent of the means of supporting or suspending the employee.

*Body belt* means a strap that can be secured around the waist or body and attached to a lanyard, lifeline, or deceleration device.